

EXECUTIVE COUNCIL OF IOWA

MINUTES

MARCH 2, 2020

The Executive Council met in regular session at 10:12 a.m. in Room G09 of the Capitol Building with Governor Kim Reynolds presiding. Secretary Paul Pate, Auditor of State Rob Sand and Treasurer of State Michael Fitzgerald (via telephone) and Secretary of Agriculture Michael Naig were present.

Regular Session
March 2, 2020

Moved by Secretary Pate and seconded by Auditor Sand that the Council approve the minutes of the Executive Council meeting held February 17, 2020.

Minutes Approved

The vote:	Ayes:	Governor Reynolds
		Secretary Pate
		Auditor Sand
		Treasurer Fitzgerald
		Secretary Naig
	Nays:	None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the request from the Attorney General's Office for payment of Expenses Under Iowa Code §7D.10 in the amount of \$7,442.47 for prosecuting cases under Iowa Code chapter 229A.

Approved Iowa
Code §7D.10

The vote:	Ayes:	Governor Reynolds
		Secretary Pate
		Auditor Sand
		Treasurer Fitzgerald
		Secretary Naig
	Nays:	None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Special
Counsel

- A. The Department of Justice, Attorney General's Office, requested retention of special counsel pursuant to Iowa Code section 13.7(1) to represent the State of Iowa in criminal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County through June 30, 2020. The Office also suggests a review of the on-going caseload and appropriate compensation at the end of the fiscal year.

Attorney: Michael Marquess
Garwin, Iowa
Rate: \$5,000.00 per month retainer plus litigation expenses

The vote: Ayes: Governor Reynolds
Secretary Pate
Auditor Sand
Treasurer Fitzgerald
Secretary Naig
Nays: None

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the following lease:

Approved Leases

- A. Lease between DNR and Linwood Mining & Minerals Corporation
Date of Lease: December 1, 2019 to November 30, 2024
Legal Description: A portion of the bed of the Mississippi River approximately 450 feet in frontage and 65 feet in depth at Mississippi River Mile 475.2, located in the NW ¼ of Section 24, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa.
Purpose: Commercial Use
Annual Fee: \$2,700.00

The vote: Ayes: Governor Reynolds
Secretary Pate
Auditor Sand
Treasurer Fitzgerald
Secretary Naig
Nays: None

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the following lease:

B. Lease between DNR and SCF Fleeting LLC

Date of Lease: March 1, 2020 to February 28, 2025

Legal Description:

For Area 3: is located at Mississippi River Mile 470. It has a capacity of 34 barges anchored in 2 groups with 1 anchor barge each. Barges will be moored 9 wide by 2 long (approximately 315 feet of depth by 400 feet of frontage in each group).

For Area 8: is located at Mississippi River Mile 472. It has a capacity of 17 barges anchored with 1 anchor barge. Barges will be moored 6 wide by 3 long (approximately 210 feet of depth by 600 feet of frontage).

Barges may not be fleeted or otherwise moored at Area 8 (River Mile 472) from May 1 through September 30. In addition, the anchor barge will be removed from the area during the period of May 1 through September 30.

Purpose: Barge Fleeting

Annual Fee:

Area 3: \$4,852.23

Area 8: prorated annual fee of \$2,830.47 (due to seasonal fleeting restrictions)

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

Moved by Secretary Naig and seconded by Secretary Pate that the Council approve the following lease:

C. Lease between DNR and Cargill, Incorporated

Date of Lease: March 1, 2020 to February 28, 2025

Legal Description: The part of the bed of the Mississippi River at River Mile 469.8 located in Section 19, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa, described as commencing at a point on the southerly boundary of Tract No. Fla-51 approximately 25 feet west of the line between Government Lots 3 and 4; thence easterly 100 feet to a point on said southerly boundary line of Tract Fla-51, and extending southerly into the Mississippi River 100 feet from the ordinary high water line.

Purpose: Loading and unloading barges

Annual Fee: \$600.00

Nays: None

Approved
Emergency
Allocations

- | | | |
|-----------|-------|---|
| The vote: | Ayes: | Governor Reynolds
Secretary Pate
Auditor Sand
Treasurer Fitzgerald
Secretary Naig |
| | Nays: | None |

Approved Payment
of Cost Items

- | | |
|-------------|---------|
| Cerro Gordo | \$41.00 |
|-------------|---------|

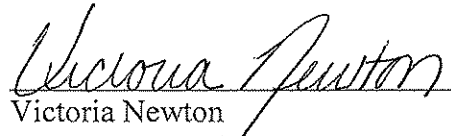
- C. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$337.20
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees
- D. Simmons Perrine Moyer Bergman PLC.....\$300.00
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52401
Tobacco Settlement Authority

The vote: Ayes: Governor Reynolds
 Secretary Pate
 Auditor Sand
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

Moved by Secretary Pate and seconded by Secretary Naig that the meeting adjourn.

Meeting adjourned

Respectfully submitted,


Victoria Newton
Executive Secretary